

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: G. Gochanour

Application No.: 10/686,298

Confirmation No.: 7109

Filed: October 15, 2003

Art Unit: 3724

For: DISPENSER FOR FLEXIBLE THIN-FILM  
HAND COVERINGS

Examiner: L. Brean

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 6, 2006, the Examiner's attention is directed to the following remarks.

Applicant is resubmitting the claims in unamended form on the grounds that the Examiner has failed to establish *prima facie* anticipation, which requires that a single prior art reference disclose each and every element of the invention as claimed. RCA Corp. v. Applied Digital Data Systems, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984). In this case, despite the Examiner's argument, the Stephenson reference does not meet the limitation of "a set of interlocking chains or opposing belts ...". Stephenson does not teach or suggest any chains or belts whatsoever. The Examiner calls item 17 of Stephenson "interlocking chains or opposing belts," but this is not the case. Item 17 simply constitutes perforations in a backing sheet (column 2, line 52 of the '532 patent). Even if the backing sheet itself could somehow be considered a "chain," which would be repugnant to the definition given by one of skill in the art, there is no interlocking mechanism. Moreover, it is clear both in the claims and from Applicant's disclosure that the interlocking chains or opposing belts are separate from the film. Thus, at least two chains or belts are required in addition to the film, which is not disclosed or suggested by the cited prior art.